



FROM HEAD TO TOE

The criminal use of less lethal weapons in social protests in Latin America



CELS



TEMBLORES.

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Note:

When you find words or phrases in **red color** it means that they contain a hyperlink that you can click on to access their content.

SO CALLED LESS LETHAL WEAPONS?

01

The increasing use of less lethal weapons by police and security forces in the Americas is leading to escalating state violence. At the same time, the opportunity to debate how and when these weapons should be used seems increasingly limited. The term “less lethal” itself is misleading, especially when these weapons are referred to as “non-lethal” or “crowd control” weapons in English-speaking countries. They are marketed as “less lethal than conventional weapons, minimizing the risk of serious injury or death while being effective for maintaining public order.”¹

This concept may seem reasonable in a region marked by massacres carried out by security forces or military personnel who have fired on their own citizens during protests. In recent years, there have been bloody crackdowns, where police or military once again used live ammunition. This was the case in the Sacaba and Senkata massacres in Bolivia in 2019, which left at least 22 people dead, and the crackdowns in Peru in December 2022 and January 2023, where at least 49 people were killed. It is no coincidence that in both instances, the repression was ordered by governments that had just seized power through undemocratic means. Similar events have occurred in Venezuela and Nicaragua, where state repres-

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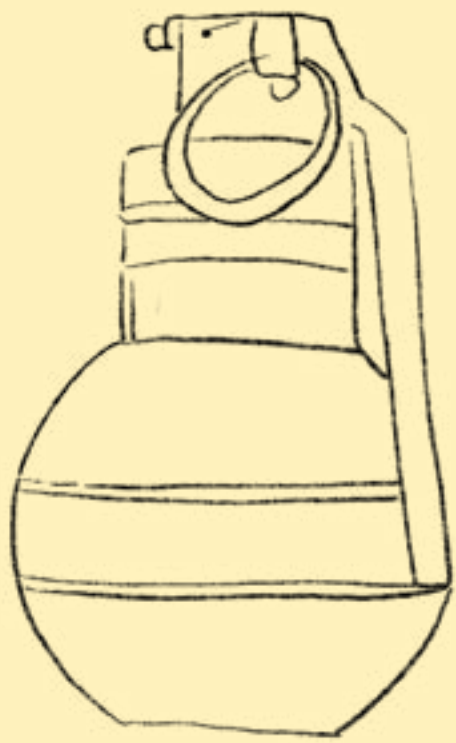
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¹ [INCLO and Physicians for Human Rights \(2016\), Lethal in disguise. The health consequences of crowd-control weapons,](#)

sion, along with paramilitary groups, has resulted in protesters being killed in the streets.

Despite the belief that less lethal weapons represent progress, the reality in the Americas is that these weapons are being used in an abusive and criminal manner by police and security forces that have not adopted a model for the rational use of force, nor are there sufficient regulations or protocols governing their use. As long as governments in the region continue to treat social protests as criminal activities and protesters as terrorists, this will serve as a justification for the indiscriminate use of these weapons, often with illegitimate objectives, such as dispersing protests. The systematic practice of targeting protesters' faces with projectiles, which has been recorded across the continent, is the clearest expression of this problem.



The wave of protests over the last five years in the Americas has mobilized marginalized groups: environmental defenders, Indigenous peoples, racialized communities, youth, women, and informal workers. For these groups and others, taking to the streets is essential if they do not want to see their rights crushed by extractivism, market extremism, racism, and sexism. As a result, they are more exposed and suffer especially severe consequences from the abusive use of less lethal weapons. Journalists have also been disproportionately affected by this violence, as it seeks to make their work more dangerous and thereby suppress their voices.

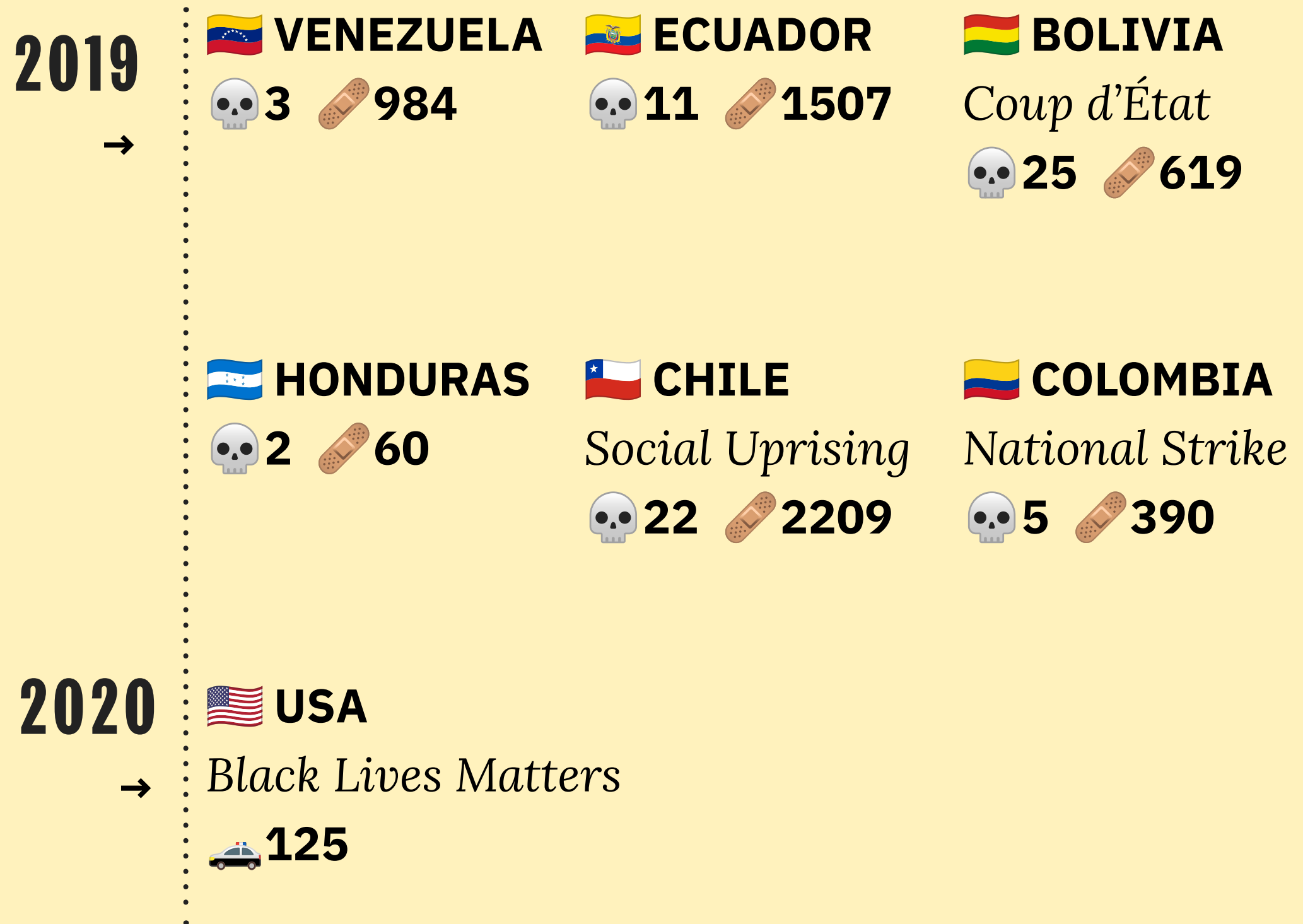
We have long known that less lethal weapons carry a hidden lethality. Moreover, the idea of lesser lethality has served as a pretext to justify the lack of regulation and the expanding use of these weapons, which are no longer a last resort but the first choice. Both police forces and





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governments, as well as the judiciary, seem to have normalized the idea that protests can be dispersed and that protesters can be attacked, as long as this is done with less lethal weapons.

TIMELINE OF VIOLENCE IN SOCIAL PROTEST CONTEXTS



- Con convenciones:
-  People injured
 -  Muertes
 -  People killed
 -  Cases of police violence


• The criminal use of less lethal weapons in social protests in Latin America

2021	→	 ARGENTINA	 COLOMBIA	
		<i>Chubutazo</i>	<i>El Estallido</i>	
		 40  15	 87  1905	
		 15	 2905	
2022	→	 ECUADOR	 PERÚ	
		<i>The Uprising</i>		
		 6  331	 50  1400	
2023	→	 BRASIL	 PARAGUAY	 ARGENTINA
		 50	 1  50	<i>Jujuy</i>
				 170
		 PANAMÁ		
		 4  +1000		
2024	→	 ARGENTINA	 BRASIL	
		 120	 7	

Con convenciones:

 People injured

 Muertes

 People killed

 Cases of police violence

WHAT ARE LESS LETHAL WEAPONS?

02

THE ABUSE OF LESS
LETHAL WEAPONS HAS
BEEN ESTABLISHED
AS EVIDENCE OF
THE WEAKNESS
OF MANY MODERN
DEMOCRACIES.

Less lethal weapons encompass a wide range of materials and devices that have been used primarily by security forces for several decades. Although some of these tools have been employed in armed conflict contexts in certain countries, in the Americas today, they are mainly used during protests and detentions. In recent years, the use of these weapons and ammunition has demonstrated significant impacts on the protection of various internationally recognized rights, such as the right to life, bodily integrity, assembly, and peaceful protest. The abuse of less lethal weapons has thus become a clear indicator of the fragility of many modern democracies, where political leaders, instead of listening to their citizens and seeking solutions to address inequality, allocate substantial budgets to acquire weapons that will be used to oppress the very people who take to the streets to demand change.

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FROM HEAD TO TOE

- The criminal use of less lethal weapons in social protests in Latin America

A BREAKDOWN OF THE MOST COMMONLY USED IN LATIN AMERICA

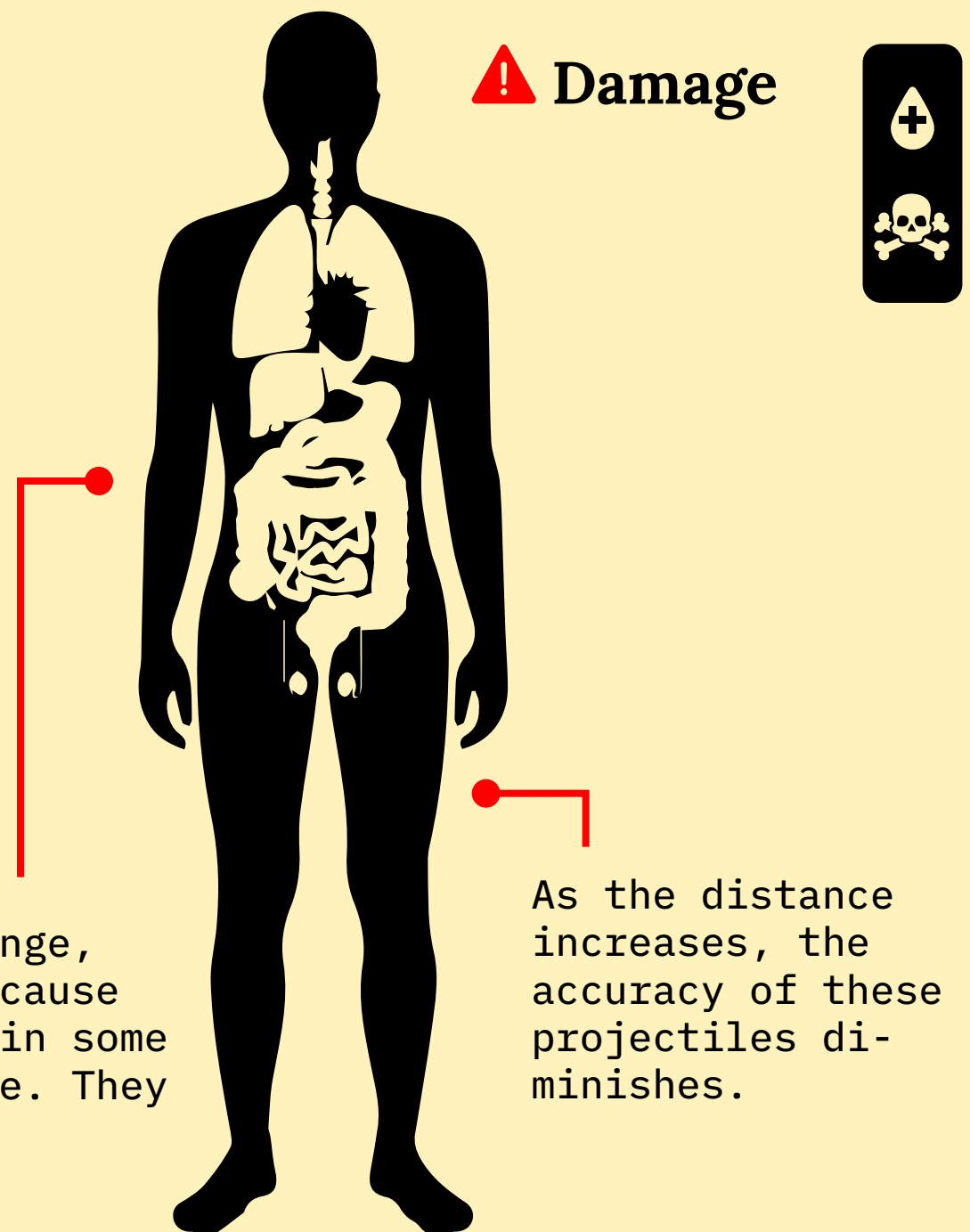
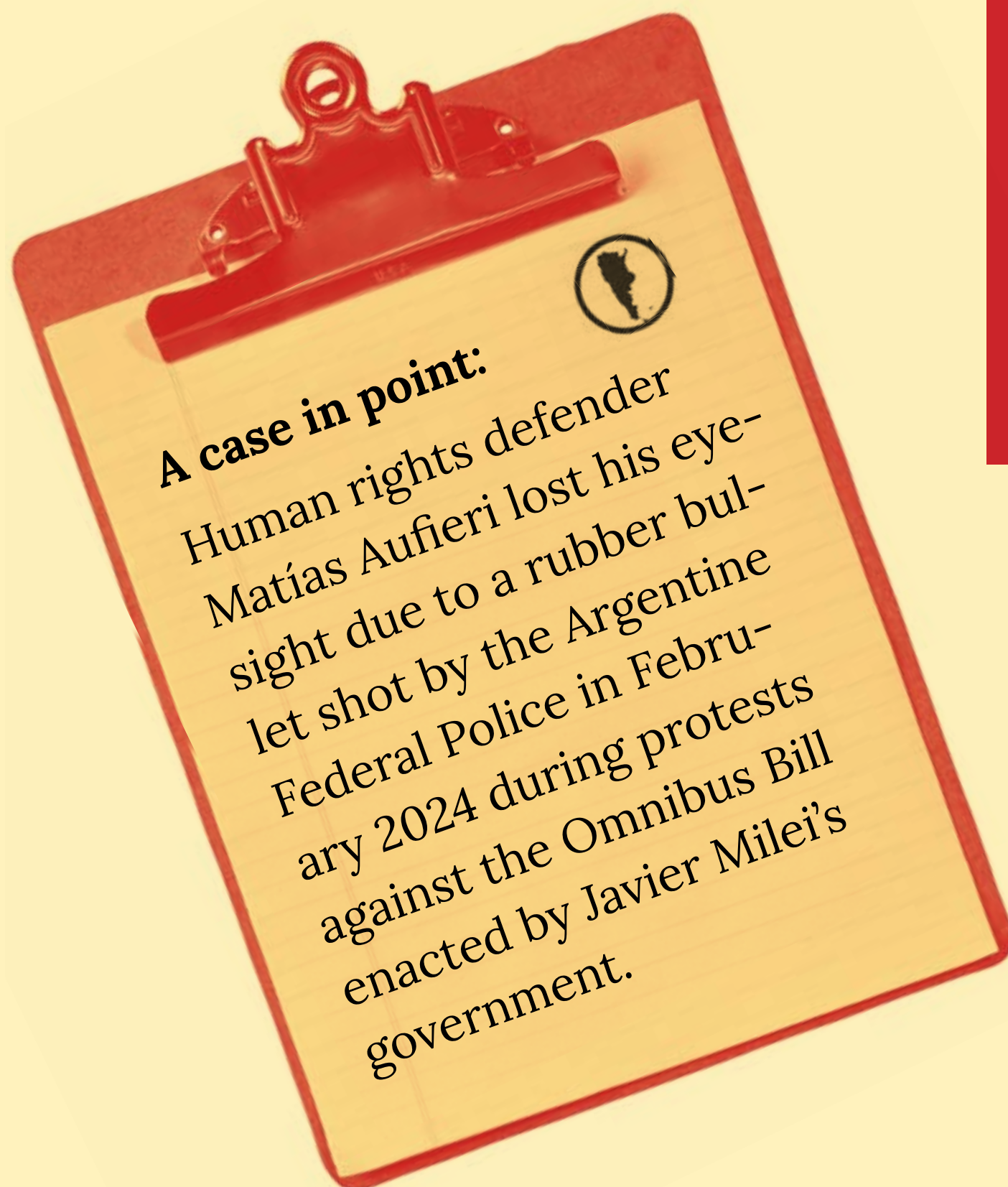
👁️ What do they look like?

They include rubber bullets, plastic bullets, bean bag rounds, pellets, buckshot, rubber-coated metal bullets made from lead and steel, and polyurethane-tipped bullets. There are also rigid-coated projectiles containing tear gas or pepper spray that explode upon impact.



KINETIC ENERGY PROJECTILES

Kinetic energy projectiles are used for crowd control, allowing police and security forces to maintain a certain distance from those they seek to intimidate.



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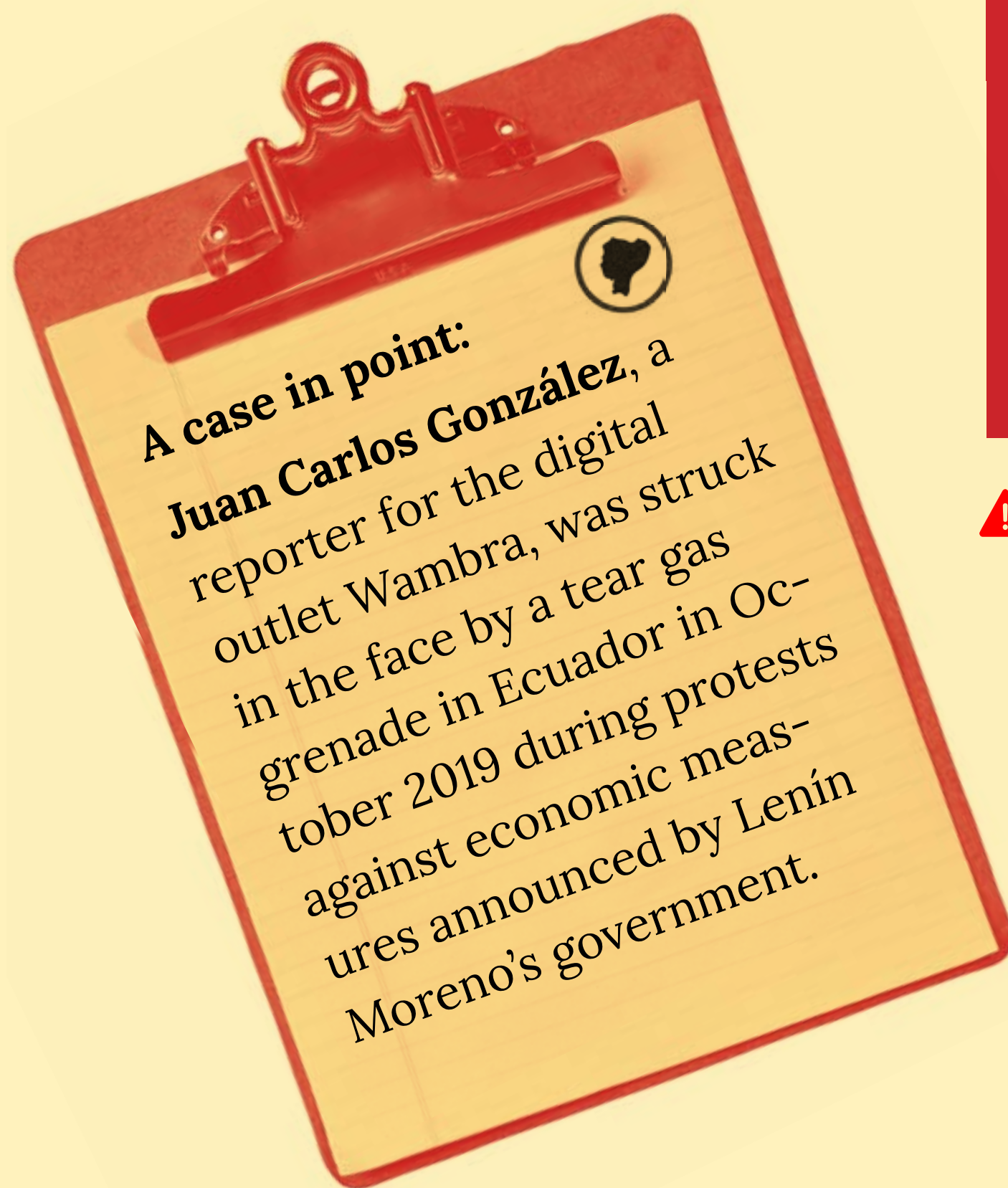
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When fired at close range, these projectiles can cause serious injuries and, in some cases, permanent damage. They can also be lethal.

A BREAKDOWN OF THE MOST COMMONLY USED IN LATIN AMERICA

👁️ What do they look like?

These weapons release chemicals such as chlorobenzylidene malononitrile (CS agent), chloroacetophenone (CN agent), oleoresin capsi-cum (OC agent, known as pepper spray), and synthetic OC, also known as PAVA. Among these, CS and OC agents have been the most widely used by police forces in recent years.



A case in point:

Juan Carlos González, a reporter for the digital outlet Wambra, was struck in the face by a tear gas grenade in Ecuador in October 2019 during protests against economic measures announced by Lenín Moreno's government.

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They can also cause vomiting and nausea. Children are particularly vulnerable to severe injuries from exposure to these substances. The elderly and individuals with chronic illnesses are also more likely to experience severe consequences. Long-term effects have been reported in people with chronic respiratory diseases and allergic dermatitis in those with preexisting conditions.

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FROM HEAD TO TOE

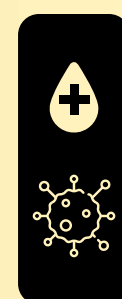
- The criminal use of less lethal weapons in social protests in Latin America

CHEMICAL IRRITANTS



Chemical irritants are used to disperse crowds or to control or incapacitate individuals. They are typically deployed in aerosol form, within a projectile, or in a grenade. They are commonly known as tear gas or pepper spray.

⚠️ Damage



EYES: In the eyes: excessive tearing, redness, burning, blurred vision

NOSE: discharge, burning, and swelling;

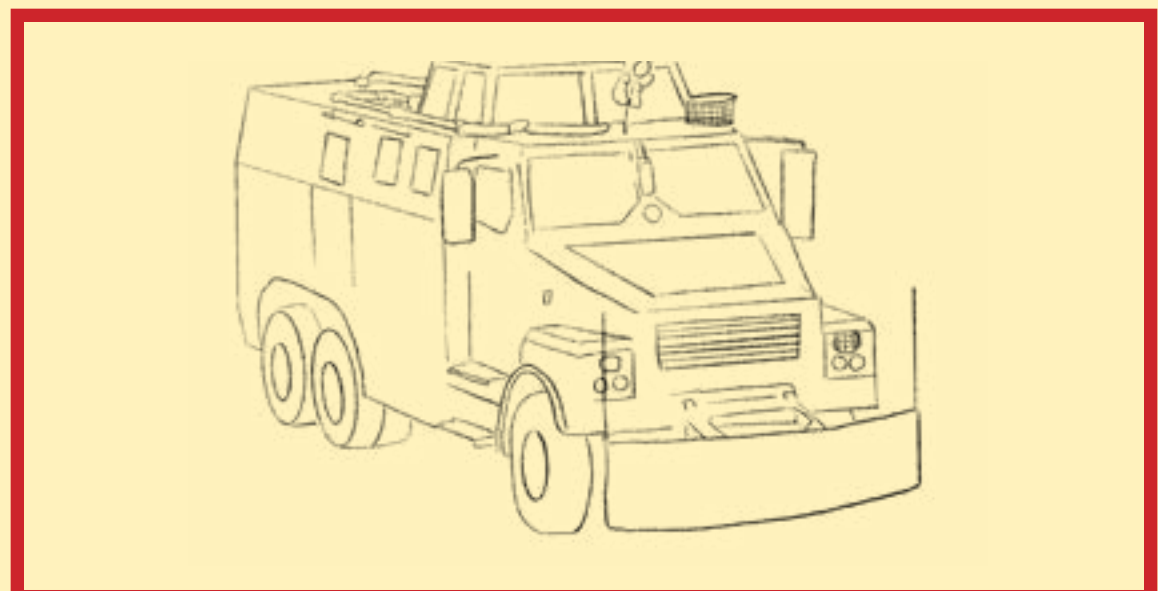
LUNGS: chest tightness, difficulty breathing, coughing, and a feeling of suffocation

SKIN: burns and rashes; in the mouth: burning, irritation, drooling, difficulty swallowing

A BREAKDOWN OF THE MOST COMMONLY USED IN LATIN AMERICA

👁️ What do they look like?

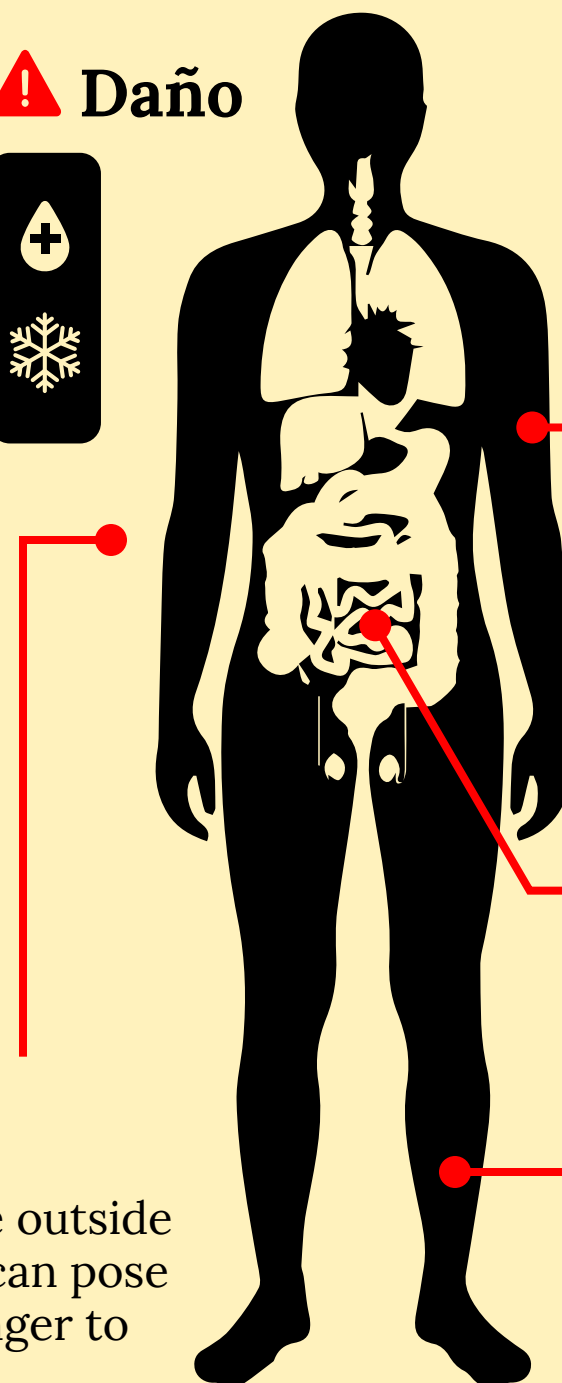
They can spray high-pressure water to force protesters to retreat or low-pressure water to prevent them from advancing. Sometimes, the water sprayed is mixed with dye to identify protesters. Additionally, irritants such as CS agents, tear gas, pepper spray, or foul-smelling chemicals can be added to the water.



WATER CANNONS

Water cannons are armored vehicles used to disperse protests.

⚠️ Daño



In cold conditions, they can lead to hypothermia and frostbite.

Water cannons can cause serious bodily injuries due to the pressure of the water jets, including blunt trauma and internal injuries.

Other injuries can result from slips and falls caused by the water.

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Moreover, the lack of communication with the outside world for those operating the water cannons can pose a significant risk in situations of imminent danger to protesters.

A BLINDING LIGHT:

03

THE CRIMINAL PRACTICE OF SHOOTING AT THE EYES

In Latin America, police forces have made it a standard practice to aim directly at the heads and eyes of protesters, justifying their actions with stigmatizing political rhetoric directed at those who take to the streets against their governments. The strategy of targeting vulnerable areas like the head and eyes is based on the idea of quickly and effectively “neutralizing” an “enemy.” This coordinated approach between political leaders—who criminalize and portray protesters as criminals—and police forces—who deliberately shoot at protesters’ eyes—violates both international and national principles on the use of force, which require that it be proportional, necessary, and lawful.

Insufficient training, combined with a culture of impunity, makes these practices commonplace. Officers often receive little instruction on the use of force and how to manage conflict situations without resorting to lethal or disproportionate violence. This can result in hasty and inappropriate decisions, such as shooting at protesters’ heads or eyes. This was documented in the “Shoots on Sight” report by Amnesty International, Temblores ONG, and PAIS in 2021, which noted that during Colombia’s Social Uprising alone, 103 cases of eye injuries or trauma were directly attributable to police actions². The In-

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² [Temblores ONG, Amnesty International, and PAIS. \(2021\). “Shoots on Sight”.](#)

ter-American Commission on Human Rights (IACHR), in its 2021 Report on its Visit to Colombia³, also highlighted the lack of adequate training and the insufficient emphasis on human rights, as well as the urgent need for security forces to receive proper instruction on the use of force and on managing peaceful demonstrations while ensuring respect for human rights.

Security forces often use crowd control tactics involving weapons designed to disperse protesters. In some cases, like in Colombia, new weapons such as the “Venom” launcher were deployed. Due to its multi-launcher design, this weapon poses a high risk of indiscriminate injuries. Such weaponry increases the likelihood of severe harm to protesters, and its use escalates violence during demonstrations⁴. The aggressive tactics employed by the police have resulted in a significant number of injuries, exacerbating the issue of eye injuries and other traumas.

Amnesty International, in its report “Ojos sobre Chile” (‘Eyes on Chile’) describes the systematic use of excessive force by the Carabineros during the 2019 social uprising. This report documented how the police indiscriminately used firearms, riot-control ammunition, and rubber bullets, resulting in eye injuries to more than 450 people (Amnesty International, 2020)⁵. The report underscores that the police operated without effective oversight or accountability, creating an environment of impunity. The aggressive crowd dispersal tactics fostered a climate of fear and repression, where protesters faced a real risk of

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3 Inter-American Commission on Human Rights (IACHR). (2021). Report on its Visit to Colombia.

4 Temblores ONG, Amnesty International, and PAIIS. (2021). “Shoots on Sight.”

5 Amnesty International. (2020). *Ojos sobre Chile: Violencia policial y responsabilidad de mando durante el estallido social*.

VISION LOSS, WHICH CAN SEVERELY LIMIT EMPLOYMENT OPPORTUNITIES AND INDEPENDENCE, HAS A SIGNIFICANT EMOTIONAL AND PSYCHOLOGICAL IMPACT.

life-threatening injuries and severe harm to their physical integrity.

From a strategic perspective, the choice to shoot at the head and eyes may be intended to cause significant harm that deters participation in future social protests. Severe injuries, such as vision loss or fatal wounds, can serve as a deterrent to other potential protesters. This approach is particularly alarming because it turns peaceful demonstrations into high-risk situations, threatening not only the participants but society as a whole. Beyond the individual tragedies, including many cases of vision loss, there is a cascading effect on society: people become afraid to engage in social protest due to the potential violence they might face.

Eye injuries not only impact the physical health of the victims but also have profoundly devastating effects on their life plans. Vision loss, which can severely limit job opportunities and independence, has a significant emotional and psychological impact. Many victims struggle to adapt to a new reality, affecting their personal relationships and their ability to fully participate in society. This, in turn, perpetuates a cycle of vulnerability and marginalization.

The repeated practice of shooting at the eyes highlights the severity of the criminalization of social protest in the Americas. This abusive use of less lethal weapons represents a violation of human rights and diminishes the possibility of constructive dialogue about social injustices between governments and social movements.

STATISTICAL INFORMATION ON THE NUMBER OF RECORDED CASES

The statistics on direct shots to the eyes are alarming. According to reports from human rights organizations, the youth have been the most affected by this practice, highlighting the severity of the problem. A significant number of people have lost vision in one or both eyes due to police violence.

CHILE



COLOMBIA



ARGENTINA



460

Casos de lesiones oculares

2019

During the massive protests against the Piñera government, 460 cases of eye injuries were recorded.

103

Casos de lesiones oculares

2021

During the 2021 Social Uprising against the Duque government, 103 cases of eye injuries were documented.

3

Casos de lesiones oculares

2023 - 2024

Amid protests against the Milei government, six cases of eye injuries were recorded. Additionally, three cases were reported during the repression of the 2023 protests in the province of Jujuy.

IN THEIR OWN WORDS: PERSONAL STORIES OF EYE INJURY VICTIMS

GUSTAVO GÁTICA



“It wasn’t painful. I felt the impact and immediately something like water started running from my eyes. It was blood. I saw stars everywhere, like in cartoons, and then everything went black”.

Gustavo Gatica Villarroel went out to protest on November 8, 2019, in Santiago, Chile. After being hit by a shotgun pellet, he lost vision in both eyes.

LEIDY CADENA



“If rubber bullets can destroy an apple, imagine what they did to my eye”⁶.

Leidy Cadena went out to protest in Colombia on April 28, 2021. While peacefully demonstrating, she was struck by a projectile fired by the police that caused irreversible damage to her eye.

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⁶ [When Leidy lost her eye \(2024\). Amnesty International.](#)

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14-YEAR-OLD GIRL



“She was walking down the street during the clashes [with police] when a pellet hit her in the left eye. Now the doctors have told me that my daughter is in very serious condition, and she may lose her eyesight”.
Angélica Chávez, the girl’s mother.

On December 12, 2022, a 14-year-old girl was hit in her left eye by a pellet fired by the National Police of Peru during protests in the city of Andahuaylas, demanding the resignation of President Dina Boluarte.

DAVID RIVAS



“Now, whenever I hear sounds similar to gunfire, I think about hiding, about getting to a safe place”⁷.

David Rivas Espíritu, 25 years old, a Nutrition student at the National University Federico Villareal, participated in the 2016 protests for better academic conditions in Peru. He felt a deep puncture in his left eye after hearing a burst of gunfire. The police, as he recalls, were less than 15 meters away. The impact caused a permanent eye injury.

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⁷ [Resumen Latinoamericano. \(2020\) Perú. Las heridas abiertas que dejaron las fuerzas del orden.](#)

ROBERTO RIZO



“*I was waiting on a corner, and bam... I got hit, right in the eye”.*

In 2018, Roberto Rizo, a student at the Agrarian University of Managua, was hit in one of his eyes by a rubber bullet fired by the police while protesting alongside other students during the April uprising against President Daniel Ortega. In 2019, at least 37 other people lost their vision due to police repression in Nicaragua.

MIJAEL LAMAS



“*It was a close-range shot; otherwise, I might still have my sight. In shock, I tried to open my eye, but I couldn't, so I started running, and a guy helped me because they were still shooting at me”.*

Mijael Lamas was 17 years old when, in 2023, he participated in protests in defense of Indigenous communities in Argentina against the police forces of Jujuy Governor Gerardo Morales. He is part of the Chalala Indigenous community, located near Purmamarca.



KENNETH LÓPEZ MIRANDA



“It was a pretty strong blow, with a lot of force. When I felt it, I knew I had lost my eye, that it wouldn't function anymore. I even feared the worst—I thought that whole side of my face was disfigured”.

Kenneth, an economics student at the State University of Guatemala, participated in the November 21, 2020, protest against the approval of the general state budget, which had been passed by Congress in an irregular procedure, according to opposition lawmakers and civil society organizations. On the day Kenneth lost his eye from the impact of a tear gas canister launched by the National Civil Police, 49 people were arrested in Guatemala City during the protest for allegedly disturbing public order.

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THE PRESS UNDER FIRE

04

Journalistic coverage can prevent violent acts and, when they occur, the recorded evidence can facilitate reports and disprove police narratives. However, in many cases, cameras and microphones, far from serving as shields, become targets of repressive police actions.

In numerous protests across the region, there have been specific attacks on individuals clearly identified with press vests or visibly performing press duties with microphones and/or cameras. In these instances, the police's clear objective is to prevent the documentation of what is happening. These actions often extend to those using their own cell phones to record events. At other times, the indiscriminate and illegitimate use of less lethal weapons to disperse protests also affects those documenting the events, obstructing the exercise of freedom of expression.

The role of press workers in protest scenarios is crucial for generating evidence and countering the stigmatizing and criminalizing narratives that governments promote and that, often, mainstream media replicate to discredit protests and the people involved.

States have a duty to prevent, protect, and ensure access to justice for press workers. Acts of violence against those recording events violate the protesters' right to share their ideas and demands, create an intimidating effect that stifles public debate, silences a plurality of voices, and de-

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prives the rest of the population of their right to information about what is happening.⁸

Press workers and individuals documenting events in the context of protests must not be detained for doing their work, nor harassed or attacked by security forces. Their equipment and materials should not be seized, confiscated, or destroyed. States have a duty to protect press workers from becoming victims of violence by third parties. Moreover, this protection must also consider the multiple and specific risks faced by women and gender-diverse journalists. This includes understanding how gender inequalities and sexist practices operate in the phenomenon of violence against the press.⁹



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8 [IACHR. Obligations of States Regarding the Right to Protest. Special Rapporteur for Freedom of Expression.](#)

9 United Nations (UN) Special Rapporteur on the Protection and Promotion of the Right to Freedom of Opinion and Expression Special Rapporteur for Freedom of Expression of the OAS Inter-American Commission on Human Rights. (2013) Joint declaration on violence against journalists and media workers in the context of protests

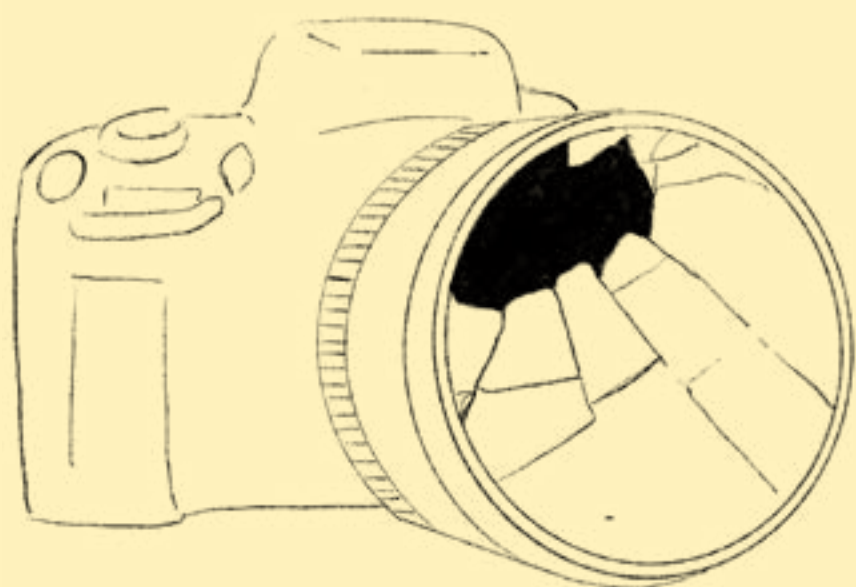
 ARGENTINA -
WITHOUT SPECIAL PROTECTION

In 2011, the Ministry of Security issued Resolution 210, “Action Criteria for Police and Federal Security Forces during Public Demonstrations.”/“Minimum Criteria for Developing Protocols for Action by Police and Federal Security Forces in Public Demonstrations.” Article 21 of the resolution stated: “Security personnel must respect, protect, and guarantee journalistic activity. Journalists, by virtue of their profession, including but not limited to photojournalists or camera operators, must not be harassed, detained, transported, or subjected to any other restriction of their rights solely for exercising their profession during public demonstrations. Furthermore, police and security forces must refrain from taking actions that would impede the recording of images or the collection of testimonies in such circumstances.” In December 2023, this resolution was repealed, and currently, there is no regulation that provides special protection for the free exercise of press work.

ATTACKS ON JOURNALISTS IN VARIOUS COUNTRIES

PERU

As of February 2023, 153 attacks on journalists were recorded during the protests that began on December 7, 2022. Most of the attacks were perpetrated by police officers during the repression of protests and included physical assaults and theft of work equipment. One journalist sustained injuries from kinetic projectiles.



ARGENTINA



Journalist Daniel Bello was shot in the face with a rubber bullet during the protests in Jujuy in 2023. His union reported that the police were deliberately targeting press workers to prevent them from doing their jobs. In the first six months of 2024, at least 47 press workers were injured in repressive incidents. They were hit by bullets, sprayed with tear gas, and beaten with batons.

ECUADOR



During the repression of the 2022 protests, the Ecuadorian Human Rights Alliance documented severe episodes of repression affecting journalists. Additionally, there were specific attacks directed at alternative media.



BRASIL



During the 2013 protests, the organization Article 19 reported 112 uses of less lethal weapons, 117 journalists were assaulted or injured, and 10 were detained. The following year, in July 2014, 15 journalists were injured by Military Police using less lethal weapons during a single protest in Rio de Janeiro.

COLOMBIA



During the 2021 national strike, more than 240 attacks on press workers were reported. Journalists covered the protests wearing bulletproof vests, and helmets, and carrying first aid kits, “as if we were covering a war,” noted journalist Juan Cortéz. The attacks came from both police and individuals not in uniform. The police have announced more than 170 internal investigations into police abuse, eight of which are related to possible attacks on the press by police officers.

RECONSTRUCTIONS OF STATE REPRESSION BASED ON THE WORK OF THE PRESS.

PERÚ



[Radiography of Homicides in Ayacucho](#)

ARGENTINA



[CELS video – June 12 repression](#)

NICARAGUA



[Operation Clean-up Nicaragua](#)

HEIGHTENED VULNERABILITY

05

The use of force by police is often abusive when directed at historically discriminated against, marginalized, and stigmatized groups. This also occurs during social protests led by racialized individuals, Indigenous peoples, *campesinxs* (farmers), women, members of the LGBTIQ+ community, among others. The abusive use of less lethal weapons, along with physical and verbal aggression, disproportionately impacts these specific groups. Women and LGBTIQ+ individuals frequently face gender-based violence, which is exacerbated in the context of repression during protests.

The use of less lethal weapons can serve as a tool of oppression aimed at silencing the voices of various groups demanding rights to land, self-determination, access to resources and food security, equal rights, and policies that address and end gender-based violence, among other issues. The violence exerted by law enforcement in these contexts not only physically harms the protesters but also seeks to dismantle the protest and activism, targeting the cultural and revendicative roots of these groups.

In Colombia, the report “Silencio Oficial” (Spanish for Official Silence) by Temblores ONG documented how police violence by the Mobile Anti-Disturbance Squadron (ESMAD) has caused deaths and injuries among farmers, Indigenous peoples, and students, revealing the differential impact of these aggressions. This report shows that

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the most vulnerable communities, particularly farmers and Indigenous peoples, have experienced high mortality and aggression rates during protests, further exacerbating existing disadvantages and making it even harder for them to exercise their right to participate in peaceful demonstrations.

Widespread repression in protests, combined with intimidation, fear of violence, and reprisals, can limit the active participation of people with disabilities and preexisting health conditions in public discourse, as they may be more vulnerable to the physical and emotional consequences of these weapons. This can trigger a vicious cycle, where the lack of participation and voice in protests perpetuates their marginalization and vulnerability in society.

In these circumstances, the use of less lethal weapons can be seen as a form of social control aimed at silencing dissent. The resilience of these groups is often undermined by fear and violence, resulting in a clear limitation of their right to participate in protests—an essential right for social mobility and the pursuit of justice.



GENDER:

The repression of transfeminist protests and the criminalization of activists reinforce gender stereotypes, perpetuate sexist violence, and aim to silence the demands of women and LGBTIQ+ individuals.

Ni Una Menos en Argentina - 2017

During the protests against gender violence in 2017 in Argentina, incidents were reported where police used rubber bullets and tear gas to disperse the protesters. Many women were injured, and cases of sexual violence perpetrated by security forces were documented. This case illustrates how the use of less lethal weapons endangers women's lives and exacerbates the cycle of gender-based violence in protest contexts¹⁰.

8M - Mexico City - 2019

State violence against feminist and gender violence protests was also evident in numerous demonstrations across Mexico. In 2019, activists reported that during the 8M march in Mexico City, police used various weapons that were not permitted under protocols. Records showed injuries caused by flares containing dry chemical powder, which resulted in head injuries to dozens of protesters, as well as tear gas launched with grenades and paintball bullets. In 2021, there were reports of the disproportionate use of tear gas and accusations of police abuse during 8M demonstrations in the states of Guanajuato, Sinaloa,



¹⁰ Sánchez, C. (2017). *La violencia policial en el marco del movimiento “Ni Una Menos”*: Una mirada crítica. *Revista de Estudios de Género de la Universidad de Buenos Aires*, 8(2), 123-138.

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Quintana Roo, the State of Mexico, and Mexico City. Violent and sexualized language, sexual threats, and physical and sexual violence were the most common forms of abusive police actions reported¹¹.

FARMERS: SUBSISTENCE FARMERS AND OTHER RURAL COMMUNITY MEMBERS

Social Uprising in Chile - 2019

During the protests that erupted as part of the social uprising in 2019, Indigenous communities were targeted with violent repression. The use of less lethal weapons, such as high-pressure water cannons and rubber bullets, resulted in injuries to Indigenous protesters advocating for their land rights. This disproportionate use of force has led to greater stigma and distrust of institutions, further hindering their right to protest and be heard.



Agrarian Strike in Colombia - 2013 and 2014

During the Agrarian Strike in Colombia in 2013 and 2014, farmers were heavily repressed by the Mobile Anti-Disturbance Squadron (ESMAD for its acronym in Spanish). Numerous cases of police violence were documented, including the use of less lethal weapons and arbitrary detentions. These incidents reflect the intersection of the struggle for land, social justice, and state repression.



11 [See](#)

• The criminal use of less lethal weapons in social protests in Latin America

RACIALIZED PEOPLE

The city of Cali, during the 2021 social uprising in Colombia, was the epicenter of violence, where the most disproportionate use of police and military force was documented. A report presented to the IACHR by Afro-Colombian and human rights organizations highlighted 15 cases of gender-based violence against Afro-descendant women, 26 forced disappearances, seven arbitrary detentions, and 36 murders of Afro-descendants. This scenario led the IACHR to issue a specific recommendation to Colombia to “Adopt all reasonable and positive measures necessary to prevent, eliminate, and reverse or change discriminatory situations that perpetuate stigmatization, prejudice, intolerance, and criminalization against persons for their ethnic-racial origins, gender identities, migratory status, national origin, or any other situation, to the detriment of their human dignity.”¹² In this context, the excessive and illegitimate use of less lethal weapons was widespread.

The National Police of Colombia does not acknowledge the practice of recording the ethnic-racial background of the individuals they interact with, which results in the absence of analysis regarding profiling and criminalization trends against these groups in the use of less lethal weapons. This perpetuates the structural concealment of the human rights violations they experience¹³.

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¹² [IACHR. \(2021\). Observations and recommendations of the working visit of the IACHR to Colombia on June 8-10, 2021.](#)

¹³ [Ilex Acción Jurídica \(2023\) ¿Superar la desigualdad racial sin datos?: la invisibilidad estadística de la población afrodescendiente en los registros administrativos de los sectores de educación y justicia en Colombia.](#)

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THE BUSINESS OF POLICE VIOLENCE

06

Over the past five years in Latin America, protests have increased due to widespread dissatisfaction with limited access to basic and fundamental rights for the civilian population. The COVID-19 pandemic, states' limited capacity to mitigate its economic effects, and the political instability in some countries have sparked a series of demonstrations in which citizens have demanded significant changes and guarantees for their lives. Rather than addressing the conditions of inequality, many states have responded with repression and the use of force beyond basic principles. This has led to an increased demand for the weaponry used by security forces to suppress social protests, resulting in growth in the market for less lethal weapons.



MORE VIOLENCE, MORE MARKET

Various estimates project growth in the market for less lethal weapons. In 2023, the United Nations Special Rapporteur on torture and other cruel, inhuman, or degrading treatment published her interim report, which includes a thematic study on the trade of less lethal weapons. According to the Rapporteur, less lethal weapons can be used as instruments of torture in various contexts. Therefore, it is crucial to monitor not only the use of these materials but also their trade and the way this market operates, as the lack of regulation increases the likelihood of their use

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for illegitimate purposes such as torture. The report estimates that by 2028, the market will be valued at USD 12.5 billion, up from USD 7.4 billion in 2020—a growth of 69%¹⁴. According to the investigation “Humo en la calle” (Smoke in the streets) conducted by the El CLIP journalistic alliance, eight Latin American countries¹⁵ spent at least USD 112 million on public purchases of riot control equipment and less lethal weapons between 2017 and 2021¹⁶.

Given the magnitude of this market’s growth, the report calls for the identification of materials that can be used for illegitimate purposes, such as torture, including less lethal weapons, and emphasizes the need to regulate their trade. To this end, two definitions emerge to determine whether an item falls under the prohibited list:

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14 [Allied Market Research, Non-lethal Weapons Market Expected to Reach \\$12.49 Billion by 2028. \(2023\). Cited in the interim report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Alice Jill Edwards, UN.](#)

15 The figure cited includes Argentina, Bolivia, Brazil, Colombia, Chile, Ecuador, Guatemala, and Mexico, being these countries the ones that provided information.

16 El Clip (2024), Humo en la Calle: el jugoso negocio de la represión y las armas no letales en América Latina. Aguilar.

The Special Rapporteur's first list contains [prohibited] items (Category A) that are considered inherently cruel, inhuman or degrading based on either (a) their technical specifications (design) such that they inflict pain or suffering, or are humiliating or debasing, that is, beyond the threshold permitted by the prohibition on torture or other ill-treatment; or (b) because the purpose for which they are being used can be achieved by less harmful means, and hence their purpose is deemed to be illegitimate¹⁷.

The report also calls on states to take immediate measures to ban the trade of inherently cruel, inhuman, or degrading items. Additionally, it urges stricter regulation of items that may have legitimate uses but could easily be misused for torture. The trade of less lethal weapons involves several public and private actors who play a fundamental role in the exponential growth of this market, and they must be considered when structuring regulation.

The acquisition of less lethal weapons and ammunition by states begins with the manufacturing companies. Most of the companies that supply their products to Latin America are based in the United States. Combined Systems and Defense Technology, located in Pennsylvania and Florida respectively, are two of the most prominent. In Latin America, the leading manufacturer and exporter is the Brazilian company Condor Non-Lethal Technologies, which specializes in rubber bullets, tear gas, and pepper spray. In many cases, weapons are distributed by local companies in each country, which act as intermediaries and legalize the procurement process for the states. A

¹⁷ [Interim report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Alice Jill Edwards, UN.](#)

common factor is that these companies are often led by former military personnel or former members of the security and defense sector.

The distribution and legalization process depends on each country's regulations. For example, in Colombia, the acquisition of electric shock devices is not centralized within the National Police but is handled by local governments (mayors' offices and governorates) using security budgets approved internally by municipal councils. This weaponry and its ammunition are almost entirely distributed (and acquired by the state) through the company Eagle Commercial. According to an investigation by the independent media outlet Cuestión Pública, between 2017 and 2021, USD 5,591,067.42¹⁸ was spent on the acquisition of the mentioned weaponry and ammunition, distributed across 30 contracts, 25 of which were awarded to Eagle Commercial¹⁹. This company has previously been accused of being favored in contract awards by the National Police, leading to a disciplinary investigation by the Attorney General's Office into the Police for alleged irregularities in the awarding of a USD 2.8 million contract.²⁰

Accessing information about the awarding of contracts for the purchase of less lethal weapons and ammunition by states is not an easy task. Transparency is not a hallmark of this market. The book "Humo en la calle" highlights the case of Bolivia as an example of an institutional architecture designed to obscure and blur access to information on the contract awarding process. When it comes

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18 This price corresponds to the exchange rate of August 2024.

19 [Cuestión Pública. \(2021\). Los millonarios contratos de armas menos letales.](#)

20 [El Espectador. \(2023\). Eagle Commercial, el contratista consentido por el que abren caso con la Policía.](#)

to accessing information through formal requests, there is often significant resistance from most states, as this information is classified as reserved for “security or national defense” reasons, even though less lethal weapons and ammunition are used in situations of citizen security rather than armed conflict or national security. The difficulties in accessing information also hinder accountability for the use of this weaponry. Specifically, there is an inability to trace the use of ammunition, meaning identifying which police commands used which ammunition in which contexts. This is necessary to identify potential human rights violations, misuse beyond protocols, or equipment malfunctions.

ATTEMPTS TO REGULATE THE MARKET

Since 2018, the United Nations has established an alliance to regulate the trade of materials used to commit torture, as well as cruel and degrading treatment²¹. As part of this alliance, a study was initiated by experts to assess the feasibility and scope of promoting a Treaty for Torture-Free Trade. This study, published in 2020, outlines potential paths to achieve international regulation of this trade²². Later, in 2022, a group of government experts was formed to define the general parameters of what this treaty should include, with a particular focus on certain less lethal weapons whose use can easily lead to illegitimate ends, such as mistreatment.

Since the evaluation of feasibility and identification of parameters for this process began, instances of police vio-

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²¹ [International Controls on the trade in the tools of torture. Omega Research Foundation. \(2024\).](#)

²² [United Nations, Secretary General. \(2020\). Towards torture-free trade: examining the feasibility, scope and parameters for possible common international standards.](#)

lence in social protest scenarios have increased in Latin America. The years 2019, 2021, and 2022 were marked by a wave of protests where human rights violations through the use of less lethal weapons were a constant. This underscored the urgency of bringing the issue to the international stage to seek strategies to curb the increasing violations committed with this material.

Civil society organizations have played a crucial role in documenting the systematic practices carried out by police forces. They have been instrumental in raising these issues on international platforms. In 2023, the international meeting of the Network for Torture-Free Trade, composed of organizations from various continents, was held. During this meeting, the Shoreditch Declaration was signed²³, in which more than 40 global organizations expressed the need for a Treaty for Torture-Free Trade. The approval of such a treaty requires long and arduous work, but its urgency is evident. This is a global issue, and it is necessary for international mechanisms to establish solutions that involve manufacturing and distributing companies, as the Special Rapporteur on Torture has stated:



²³ [Shoreditch Declaration. Harvard Law School. \(2023\).](#)

• The criminal use of less lethal weapons in social protests in Latin America



Corporate accountability for human rights violations is widely recognized, and is becoming more important over time. The United Nations Guidelines on Business and Human Rights recognize that State entities and corporations have a role to play in preventing and mitigating adverse human rights impacts”

CÓNDOR EXPORTS TO CHILE WEAPONS THAT WERE NOT AUTHORIZED FOR USE IN SÃO PAULO, BRAZIL

According to an investigation by El Clip, the Brazilian company Condor exported tear gas grenades to Chile, where they were used in the repression of the 2019 uprising. The illegal use of this type of weapon by a Carabinero resulted in a direct impact on the face of Fabiola Campillai, causing her to suffer head trauma, loss of brain mass, and blindness in both eyes. Fabiola was waiting for a bus to go to work when she was struck in the face from about 50 meters away during the crackdown on the October protests.

Information from the judicial file, cross-referenced with data on the production of Cónдор’s weapons, indicates that the weapon used in Campillai’s injury was a GL-203/L model, the same type of weapon that had been deemed defective during approval tests conducted by the Military Police of São Paulo in Brazil and subsequently banned in that district.

THE IRREGULAR SHIPMENT OF LESS LETHAL WEAPONS FROM ARGENTINA TO BOLIVIA

In November 2019, during the repression in Bolivia following the coup against then-President Evo Morales, it was revealed that riot control equipment had been sent from Argentina to Bolivian forces. Former Argentine President Mauricio Macri and other officials oversaw the arrangements for the dispatch of the Argentine Hercules C-130 plane, carrying a shipment of “40,000 AT 12/70 cartridges, 18 MK-9 tear gas sprays, five MK-4 tear gas sprays, 50 CN gas grenades, 19 CS gas grenades²⁴, and 52 HC grenades.” This material was made available to the de facto presidency of Jeanine Áñez to suppress the protests.



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24 [See](#)

IMPUNITY IN PUNISHMENT

07

One of the reasons police violence with less lethal weapons has become normalized in the context of public demonstrations is the near-total impunity surrounding these abusive practices. Judicial responses are severely lacking; investigations either do not progress or are never initiated.

Several factors contribute to this. Judicial systems in many Latin American countries are generally weak, with limited investigative capabilities, especially when dealing with crimes committed by the state itself. In other cases, the lack of judicial independence means that officials who should oversee the actions of security forces are aligned with the political powers that order the repression. This creates a common scenario: criminal cases against protesters progress quickly, leading to preventive detention and other forms of anticipatory punishment, while cases that should investigate police violence stagnate and produce no outcomes. Another contributing factor is the judicial officials' lack of understanding of the standards for the use of force, a problem exacerbated when it comes to less lethal weapons. The notion of "lesser lethality" seems to lead prosecutors, judges, and magistrates to dismiss the possibility of abusive use.

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In Argentina, for example, the few cases that have resulted in judicial convictions have always involved police interventions that caused deaths and the persons convict-

ed were officers. There is one notable exception: the only known case in the region where a political official was convicted for his responsibility in a police operation. This case involves Enrique Mathov, who served as the Secretary of Interior Security and was in charge of the police repression on December 19 and 20, 2001, which resulted in five deaths and dozens of injuries in Buenos Aires. On that occasion, police forces fired live bullets at protesters. In 2016, Mathov was found guilty of homicide and grievous bodily harm and was sentenced to 4 years and 9 months in prison, along with a special disqualification from holding public office for nine and a half years. Regarding the use of less lethal weapons, the only known conviction is that of police officer José Darío Poblete, who on April 4, 2007, killed schoolteacher Carlos Fuentealba with a tear gas grenade that struck his head. Episodes of repression with less lethal weapons that caused severe injuries to protesters, such as those in Jujuy in 2023 and Buenos Aires in 2024, have not even been investigated.

The justice system often legitimizes violent police interventions. In the few cases where an investigation is initiated, the operation itself is not critically examined, and only the officials who directly committed the acts of violence are prosecuted, isolating the incidents from their context and diluting political responsibility. This directly affects the collection and production of evidence. Large police operations often present problems and irregularities that hinder the reconstruction of events and the assignment of responsibility, such as the transmission of broad and confusing orders, overlapping authorities, a lack of clarity about assigned resources, and an unclear chain of command. The presence of judicial operators



during demonstrations could help monitor how security forces execute their orders. However, very few bother to go to the scene.

In January 2023, the IACHR expressed concern over the lack of progress in investigations into police violence during the 2021 National Strike in Colombia. Months later, most of the investigations remained stalled in the preliminary phase. The IACHR also noted a greater sense of urgency and action in processes related to assaults on police officers compared to those investigating civilian victims.

In Chile, according to data provided by the Public Ministry, of the 8,389 cases of human rights violations committed by state agents during the social uprising, 68.44% were concluded with “non-judicial outcomes,” without establishing any responsibility for the human rights violations. Only 19 cases have ended with a final verdict, 17 of which were convictions, representing just 0.2% of the complaints. Currently, there are 2,652 ongoing cases, but only 140 of them have formally identified individuals, which accounts for 1.6% of all cases opened for violence by security forces during the protests. According to the National Institute of Human Rights, even in cases of sexual abuse or the killings of protesters, the cases have concluded without prison sentences or with minimal penalties that are disproportionate to the severity of the crime.



COLOMBIA: THE COST OF SPEAKING OUT

In addition to the structural problems of the justice systems in the region, there is the practice by police of intimidating victims or their families who attempt to file complaints in court. In 2021, Sandra Pérez and her 18-year-old daughter, Sara Cárdenas, were shot with rubber bullets and subjected to gender-based violence at the hands of the National Police of Colombia. Sara lost vision in her left eye due to a bullet impact. Sandra formally reported the incident and brought it to public attention through the media. Soon after, she began receiving threats. She and her daughter were forced to leave the country for safety reasons. “In Colombia, they are killing us, they are blinding us, and I want/demand justice. I have already received threats, telling me that I look better when I’m silent”.

[See Tiros a la Vista](#)



ARE THEY JUSTIFIABLE?

08



The abusive use of less lethal weapons in the region stems from two main factors. First, the lack of regulation, justified by the notion of lesser lethality. Second, the increasing restrictions on protests and the stigmatization of those who participate, with public authorities normalizing the idea that demonstrations can be dispersed. Any discussion on the legality of using less lethal weapons must start with the recognition of the rights associated with social protest and the duty of states to protect public demonstrations. Freedom of expression, assembly, and association are fundamental rights in a democratic society. Within this framework, a model for the use of force should be developed in line with these democratic objectives, rather than prioritizing the sole objective of “restoring order.” The protection of protesters, police officers from imminent threats, and individuals who may be at risk in the vicinity should be the guiding principle when authorizing the use of these weapons as a last resort.

States have an obligation to respect, protect, and guarantee human rights in the context of protests. Any limitations on this right must be strictly exceptional.

Police officers have a duty to prevent acts of violence and ensure the safety of everyone, including those not involved in the social protest and those participating in

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it. In such cases, the intervention of security forces must be carefully calibrated to prevent and avoid more serious incidents resulting from state actions. The use of force should be exceptional and adhere to the principles of legality, necessity, proportionality, and accountability.²⁵

International human rights protection mechanisms have already established that firearms cannot be used to disperse a protest or to shoot into crowds. Additionally, the IACHR has stated that these weapons cannot be used for the purpose of maintaining order or protecting property. This body considers that states must effectively prohibit the use of firearms and lead ammunition in police operations during public demonstrations²⁶.

This prohibition represents a significant step toward protecting the rights of those participating in social protests but also necessitates the creation of clear regulations for the use of less lethal weapons to prevent their disproportionate use and excessive harm. To achieve this, it is essential to have regulatory instruments, guidelines for police intervention, instruction and training for personnel, and systems of oversight and accountability.

25 UN, Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, Principle 4

26 IACHR, Annual Report (2015) Chapter IV A, paragraph 81. UN Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Christof Heyns, “Use of force during demonstrations,” A/HRC/17/28, para. 75. (2011).

In Colombia, the Ministry of Defense issued a resolution establishing a Manual for the National Police on Managing Demonstrations and Riot Control. This manual requires the National Police, when responding to public demonstrations and controlling disturbances, to use less lethal weapons, ammunition, and equipment in line with international standards on the use of force, as well as the criteria and parameters set out in the institution's current administrative guidelines. However, the social protests of 2019 and 2021 revealed significant challenges in effectively implementing these intervention protocols, even when they are based on international principles of force use. Currently, efforts are underway to update these protocols and the related administrative guidelines for the use of force in public demonstrations.

In the rest of the region, clear regulations are lacking. While government representatives often reference United Nations standards, these are neither incorporated into local regulations nor included in training and education programs.

UN AND IACHR GUIDELINES FOR THE USE OF LESS LETHAL WEAPONS

- Police interventions should specifically address situations that present risks, rather than aim to deactivate a protest.
- The dispersal of a demonstration is an extreme measure that should only occur when the disruption is severe and sustained, and cannot be controlled by other means.
- The method of dispersing a demonstration should be regulated and authorized on a case-by-case basis by a responsible authority in the chain of command.
- Less lethal weapons should be used only as a last resort, following a verbal warning and after sufficient time has been given for protesters to disperse safely.
- Regulations on the use of these weapons should not rely on recommendations from the manufacturing companies.
- Continuous training and instruction must be established to ensure the effective implementation of these regulations.



MONITORING AND PUNISHING POLICE ABUSE

Investigations by the justice system and oversight by the Executive Branch are crucial to curbing the excessive and abusive use of less lethal weapons. To ensure an effective accountability process:

- Security forces personnel must be properly and visibly identified to facilitate their individual accountability. A record of the personnel involved and the weapons they carry should be created for each operation.
- Police officers should be required to report in detail the use of their weapons and whether any individuals were injured as a result of their actions, specifying the circumstances and the harm caused.
- This information must be immediately provided to the appropriate authorities in the Executive and Judicial Branches. Judicial and administrative investigations must be undertaken to determine police responsibility for the events. It is essential that these investigative pathways have mechanisms for communication while allowing independent actions, ensuring that one is not dependent on the progress of the other. The involvement of victims or interested parties, such as human rights organizations, is key to advancing investigations in both judicial and administrative cases, ensuring democratic oversight of the process.

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WHAT DO WE MEAN WHEN WE SAY?:

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GLOSSARY OF THE PRINCIPLES OF USE OF FORCE



PRINCIPLES OF USE OF FORCE

Police officers should not use force indiscriminately. The United Nations has established guidelines in this regard in the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

LEGALITY

Police must operate within national laws and specific international treaties that ensure respect for individuals' rights.

NECESSITY

For police actions to be legitimate, there must be a necessity and proportionality in the means used to prevent or repel unlawful aggression. The least harmful means should always be employed, and in a way that causes the least harm to the person responsible for the aggression.

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PROPORTIONALITY

The level of force applied by police must be proportional to the aggression received, the severity of the threat, and the objective risks that arise from it, seeking to avoid unnecessary harm.

REASONABLENESS

Police must act while avoiding any form of abuse, arbitrariness, or discrimination, and should be free from physical and moral violence, ensuring equal treatment.

ACCOUNTABILITY

Police personnel must be accountable for the decisions they make while on duty. The chain of responsibility includes the officer, their superiors, and the State, all of whom must answer for the consequences of their actions.

PROTEST SAFETY TOOLKIT

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TEAR GAS AND PEPPER SPRAY

🌸 Recommendations:

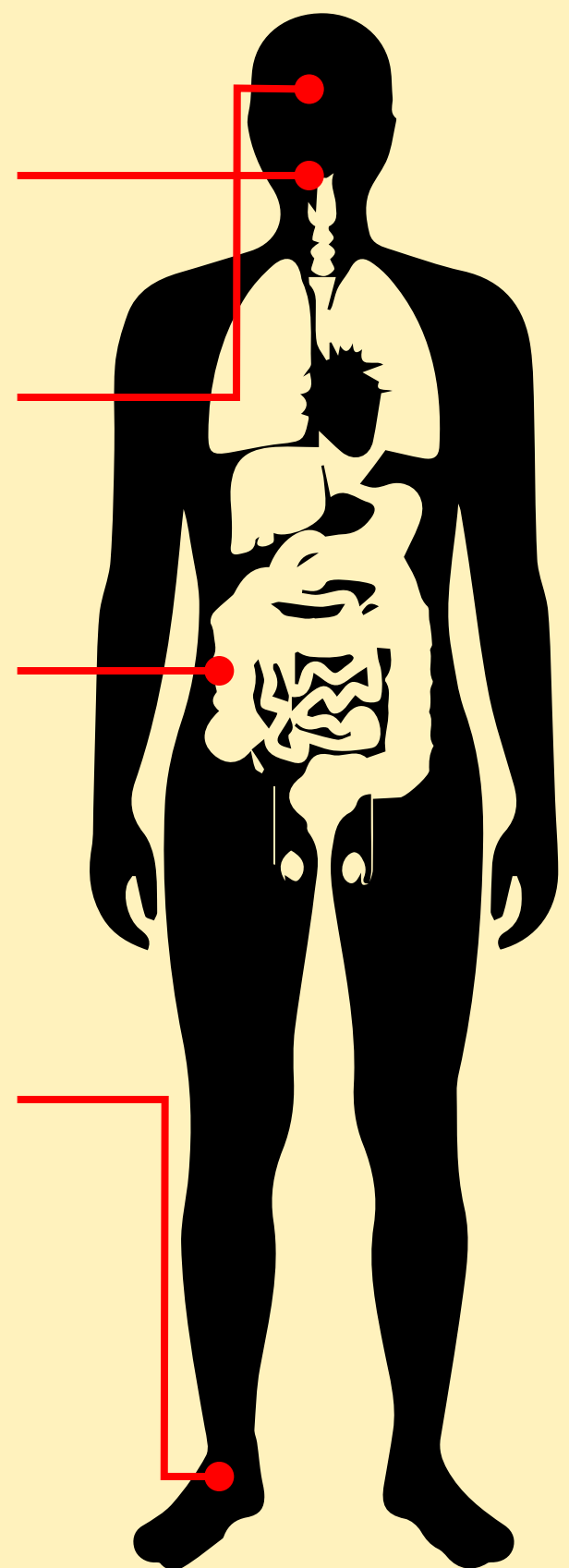
- Move out of and away from the gas cloud as quickly as possible.
- Do not crouch or lie down: tear gas is heavy, and there is a higher concentration of gas on the ground.
- Do not run; walk. If you become agitated, more gas may enter your lungs.

Cover your nose and mouth with a scarf or bandana

Wear unbreakable sunglasses, goggles, or a gas mask

Cover your body as much as possible: wear long sleeves and long pants.

Wear closed-toe comfortable shoes.



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WHAT TO DO AND WHAT NOT WHEN IN CONTACT WITH TEAR GAS?

Source: mapadelapolicia.com

Step 1:

Wear rubber gloves. Use a cotton pad or cloth with a mild, non-irritating cleanser to clean off the gas, always wiping from the inside out and from top to bottom, starting with the forehead to avoid getting product residue in the eyes. Continue cleaning until the pain subsides, changing the cotton pad every two or three swipes.

If pepper spray gets into your eyes, do not open them. Keep them closed and ask someone to clean them repeatedly before opening your eyes.

If pepper spray gets into your mouth, do not swallow. Spit it out and remain calm.

If you—or someone you are with—experience difficulty breathing, leave the protest area immediately and go to the nearest medical station or call

emergency services. Stay calm and breathe slowly.

Step 2: Do not use burn cream immediately, as it will prevent the removal of pepper spray residue. It can only be applied after several hours when no residue remains.

Step 3: Once home, take a shower; use a mild soap or dish detergent and cold water to relieve the burning sensation.

What not to do

- Do not use lemon, vinegar, or toothpaste.
- Do not rub your eyes or touch your face.
- Avoid wearing eye makeup or contact lenses to the protest, as they can trap gas in your eyes if you're exposed.

FROM HEAD TO TOE

The criminal use of less lethal weapons in social protests in Latin America



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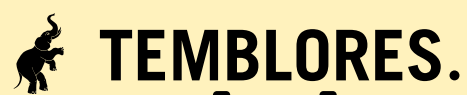
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